

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

<h1 style="margin:0;">FSIS NOTICE</h1>	74-10	12/22/10
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NOTE: DO NOT IMPLEMENT THIS NOTICE UNTIL JANUARY 3, 2011

DISPOSITION OF NON-AMBULATORY DISABLED CATTLE

I. PURPOSE

A. FSIS is issuing this notice to provide clarification to inspection program personnel (IPP) and Public Health Veterinarians (PHVs) regarding the procedures that they are to follow when the establishment presents non-ambulatory disabled cattle for ante-mortem inspection. This includes cattle that are temporarily down (i.e., non-ambulatory disabled) due to a reversible condition (e.g., parturient paresis, ketosis, pneumonia, arthritis, injury and the other conditions identified in 9 CFR 309.13 (b)). The new instructions are to assist PHVs in making more consistent decisions on the disposition of non-ambulatory disabled cattle.

B. PHVs are to condemn non-ambulatory disabled cattle and to verify that the establishment promptly euthanizes these cattle. For humane handling reasons, all non-ambulatory disabled cattle, except for veal calves that are non-ambulatory because they are tired or cold, are to be promptly euthanized rather than being set aside for treatment. Cattle slaughter classes that are covered by this notice are identified below.

II. BACKGROUND

A. FSIS is issuing this notice in response to concerns with the humane handling of non-ambulatory disabled cattle and to better ensure that cattle are humanely treated and slaughtered when presented at FSIS-regulated facilities. The regulations provide that non-ambulatory disabled cattle must be condemned and killed by the official establishment (9 CFR 309.3(e) and 309.13(a)). In the preamble to the 2009 final rule, "Requirements for the Disposition of Cattle that Become Non-Ambulatory Following Ante-Mortem Inspection," FSIS explained that "...humane handling requires that [all non-ambulatory disabled cattle] be promptly euthanized" (74 Federal Register 11464).

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B. The instructions in this notice supersede the instructions on the disposition of non-ambulatory disabled cattle in FSIS Directive 6100.1, "Ante-Mortem Livestock Inspection." FSIS will incorporate the instructions in this notice into the revised ante-mortem directive that will be published at a later date. Also, the Agency will remove or modify all AskFSIS questions that indicate that cattle may be treated when they are condemned for being non-ambulatory disabled.

C. Non-ambulatory disabled cattle are cattle that cannot rise from a recumbent position or that cannot walk, including, but not limited to, those with broken appendages, severed tendons or ligaments, nerve paralysis, fractured vertebral columns, or metabolic conditions. This includes cattle that are temporarily down (i.e., non-ambulatory disabled) due to a reversible condition (e.g., parturient paresis, ketosis, pneumonia, arthritis, injury and the other conditions identified in 9 CFR 309.13 (b)).

III. VERIFICATION INSTRUCTIONS

A. When establishments present non-ambulatory disabled cattle to IPP for ante-mortem inspection, IPP are to notify PHVs.

B. PHVs are to designate these animals as US Condemned (9 CFR 309.3)).

C. After condemning non-ambulatory disabled cattle, PHVs or other IPP are to verify that establishments promptly euthanize these animals (9 CFR 309.13 (a)).

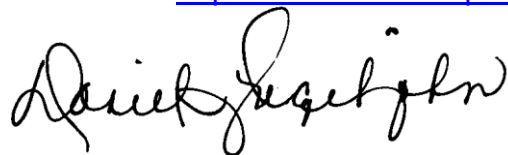
D. These instructions apply to all cattle, except for veal calves.

E. Slaughter classes that are covered by this notice include:

1. Steers and heifers;
2. Bulls and cows (dairy and beef); and
3. Calves/heavy calves (calves that weigh more than 400 lbs).

NOTE: Veal calves that are non-ambulatory disabled because they are tired or cold may continue to be set apart and held for treatment under FSIS supervision as provided in 9 CFR 309.13(b). FSIS is currently evaluating a petition that requests that the Agency repeal this provision in the regulations. After the petition is evaluated, FSIS will determine if updated instructions will need to be issued for the disposition of non-ambulatory disabled veal calves that are tired or cold.

Refer questions regarding this notice to the Policy Development Division through askFSIS at <http://askfsis.custhelp.com> or by telephone at 1-800-233-3935.



Assistant Administrator
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